



Village of Wellington

REGULAR MEETING OF THE WELLINGTON VILLAGE COUNCIL

Darell Bowen, Mayor
Dr. Carmine A. Priore, Vice Mayor
Lizbeth Benacquisto, Councilwoman
Matt Willhite, Councilman
Howard K. Coates, Jr., Councilman

Wellington Community Center
12165 West Forest Hill Boulevard
Wellington, Florida

TUESDAY, JULY 14, 2009
7:00 PM
SHELL

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. INVOCATION** - Deacon Al Payne, St. Therese de Lisieux Catholic Church, Wellington
- 4. APPROVAL OF AGENDA**
- 5. PRESENTATIONS AND PROCLAMATIONS**

A. EMPLOYEE RECOGNITION PROGRAM FOR THE MONTH OF JUNE 2009

To recognize an employee and a supervisor selected by Village staff for the month of June 2009 as part of the "Employee of the Month" and "Supervisor of the Quarter" Recognition Program.

6. CONSENT AGENDA

A. MINUTES OF THE REGULAR VILLAGE COUNCIL MEETINGS OF MAY 12, 2009, MAY 26, 2009 AND JUNE 9, 2009

Council's review and approval of the Minutes of the Regular Village Meetings of May 12, 2009, May 26, 2009 and June 9, 2009.

B. RESOLUTION R2009-59 (TRANSITION TO CIGNA GROUP BENEFITS FOR LIFE AND DISABILITY INSURANCE)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO CANCEL CURRENT EMPLOYEE BENEFITS CONTRACTS WITH LINCOLN FINANCIAL GROUP AND ENTER INTO NEW EMPLOYEE BENEFIT CONTRACTS FOR GROUP LIFE INSURANCE AND SHORT TERM AND LONG TERM DISABILITY INSURANCE WITH CIGNA GROUP BENEFITS EFFECTIVE AUGUST 1, 2009; AND PROVIDING AN EFFECTIVE DATE.

Council approval to transition the Village's life and accidental death and dismemberment, short term, and long term disability insurance policy to Cigna Group Benefits.

C. AWARD BID #021-09/JWV FOR THE SUPPLY AND DELIVERY OF GRANULAR QUICKLIME TO CHEMICAL LIME COMPANY OF ALABAMA, INC.

Council approval of award of Bid #021-09/JWV to Chemical Lime Company of Alabama for the supply and delivery of granular quicklime, on an as needed basis, to Village of Wellington Wastewater Treatment Facility. Annual contract costs at current usage rates will be approximately \$50,000. For FY 2008-2009, \$38,000 was budgeted for lime with \$31,000 expended to date. Under the new contract the costs for lime increases from \$197.57 to \$237.99 per ton.

D. TELEPHONE SYSTEM UPGRADE TO VOICE OVER INTERNET PROTOCOL (VOIP) SYSTEM

Staff requests approval for the purchase of the VOIP telephone system upgrade and budget amendment 2009-22.

E. ELECTRONIC PLAN REVIEW SOFTWARE AS A SERVICE AGREEMENT

Staff requests approval of the Electronic Plan Review Software purchase and Budget Amendment 2009-21.

F. RESOLUTION R2009-45 (GRAND CHAMPIONS PLAT)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA ACCEPTING AND APPROVING THE PLAT KNOWN AS "GRAND CHAMPIONS PLAT" AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE THE PLAT; AND PROVIDING AN EFFECTIVE DATE.

Plat approval of a subdivision of land into a 30.69-acre lot within Parcel G, Southfields-Phase II of Palm Beach Polo and Country Club of the Wellington Country Place Planned Unit Development known, as the Grand Champions Property and creating the access from Southfields Road.

G. RESOLUTION R2009-50 (DEVONSHIRE REPLAT NO. 2)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA ACCEPTING AND APPROVING THE PLAT KNOWN AS "WELLINGTON GREEN, A MUPD/PUD, REPLAT NO2 PLAT" AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE THE PLAT; AND PROVIDING AN EFFECTIVE DATE

Plat approval of a 32.87 acre portion of Wellington Green, A MUPD/PUD, a replat of a portion of Parcel 1 known as Devonshire at Wellington Green.

H. APPROVAL OF CHANGE ORDER NO. 1 TO THE AGREEMENT BETWEEN THE VILLAGE OF WELLINGTON AND H & J CONTRACTING, INC. FOR THE CONSTRUCTION OF THE SECTION 24 IMPOUNDMENT PROJECT AND CHANGE ORDER NO. 1 TO THE AGREEMENT BETWEEN THE VILLAGE OF WELLINGTON AND MURRAY LOGAN CONSTRUCTION

Approval and acceptance of Deduct Change Order No. 1 to the Agreement with H & J Contracting, Inc. for the Construction of Section 24 Impoundment (\$41,700.00) and acceptance of Add Change Order No. 1 to the Agreement with Murray Logan Construction for the Construction of Section 24 Pump Station No. 9 and Discharge Control Structure (\$855.25).

I. FLORIDA POWER AND LIGHT (FPL) WORK REQUEST CHARGES QUOTATION FOR SECTION 24 IMPOUNDMENT

Approval of Payment of Florida Power & Light (FPL) Charges for the Provision of Electrical Service for the Section 24 Impoundment Project Site.

J. RESOLUTION R2009-52 (INTERLOCAL AGREEMENT PALM BEACH COUNTY EMERGENCY WATER INTERCONNECTION)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY FOR THE EMERGENCY WATER INTERCONNECTION AND PROVIDING AN EFFECTIVE DATE.

Approval of the Emergency Water Interconnection Agreement with Palm Beach County as revised.

K. APPROVAL OF WORK AUTHORIZATION FOR REESE MACON AND ASSOCIATES TO PROVIDE UTILITY ENGINEERING SERVICES RELATED TO THE FOREST HILL BOULEVARD 16" WATER MAIN REPLACEMENT PROJECT

Approval of Reese Macon and Associates, Inc. Work Authorization to provide engineering services related to the design of a 16" water main replacement in the Forest Hill Boulevard right of way.

L. AUTHORIZE THE EXECUTOR OF WORK AUTHORITY WITH HIGGINS ENGINEERING, INC. FOR ENGINEERING SERVICES AND MOCK, ROOS & ASSOCIATES, INC. FOR SURVEYING SERVICES RELATED TO THE C2 CANAL NORTH AND SOUTH PROJECT

Approval pursuant in a continuing contract with Higgins Engineering, Inc. of a work authorization is to provide engineering services and approval pursuant to the continued contract with Mock, Roos & Associates, Inc. of a work authorization is to proposal to provide surveying services related to the C2 Canal Mitigation and Storage project.

M. RESOLUTION R2009-55 (AWARD OF BEAUTIFUL WELLINGTON GRANTS TIER II - PROJECTS TOTAL COST \$111,232.32)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA APPROVING BEAUTIFUL WELLINGTON GRANTS - TIER II FOR GRAND ISLES MASTER HOMEOWNER'S ASSOCIATION, INC. AND RUSTIC RANCHES; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO GRANT AGREEMENTS TO EFFECTUATE THE GRANTS; AND PROVIDING AN EFFECTIVE DATE.

Village Council acceptance of Resolution R2009-55 Award of Beautiful Wellington Grants Tier II.

N. RESOLUTION R2009-48 (WELLINGTON RUNNER'S CLUB 10 MILE RACE)

The Wellington Runners Club is requesting co-sponsorship of their 5th annual 10 Mile Race and 5K run to be held on Sunday, October 25, 2009 beginning at 7:00am with co-sponsorship including permission to use the road and Tiger Shark Cove pavilion.

O. FOREST HILL BOULEVARD PROJECT CONSULTANT SERVICE AUTHORIZATION AND PRESENTATION OF ELEMENTS OF THE PROJECT

Council approval of consultant services authorization for Miller Legg for consultant services required for section 2 of the Forest Hill Boulevard project.

P. RESOLUTION R2009-60 (NEIGHBORHOOD STABILIZATION PROGRAM 2 GRANT APPLICATION)

Execute Consortium Agreement forming a collaboration to apply for Neighborhood Stabilization Program 2 funds. The structure of the collaboration and description of the basic types of activities to be undertaken are outlined in the attached organizational chart.

7. PUBLIC HEARINGS

A. ORDINANCE 2008- 20 (EVALUATION AND APPRAISAL REPORT)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, AMENDING THE VILLAGE OF WELLINGTON COMPREHENSIVE PLAN BY INCORPORATING THE VILLAGE'S EVALUATION AND APPRAISAL REPORT

REVISIONS, AS REQUIRED BY FLORIDA STATUTE 163.3191; BY AMENDING THE TEXT OF THE COMPREHENSIVE PLAN, AFFECTING THE PAGINATION IN EACH AMENDED ELEMENT AND INCLUDING THE REVISED TEXT NECESSARY TO UPDATE THE COMPREHENSIVE PLAN; PROVIDING THAT THE TEXT, AS AMENDED OR REVISED, SHALL BE SUBSTITUTED FOR AND REPLACE THE EXISTING TEXT IN ALL AMENDED ELEMENTS; AUTHORIZING THE TRANSMITTAL OF THE AMENDMENT TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; AUTHORIZING THE VILLAGE MANAGER TO AMEND THE COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

Request to incorporate Evaluation and Appraisal Report (EAR) updates, into the Village of Wellington's Comprehensive Plan.

B. ORDINANCE NO. 2009-12 (EXPEDITED PERMITTING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, RELATING TO THE CREATION OF A TARGETED EXPEDITED ZONING PROCESS; AMENDING THE LAND DEVELOPMENT REGULATION CODE OF THE VILLAGE OF WELLINGTON BY CREATING ARTICLE 5, CHAPTER 1, SECTION 15, "TARGETED EXPEDITED PERMITTING PROGRAM FOR ECONOMIC DEVELOPMENT PROJECTS"; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The proposed zoning text amendment will create a targeted expedited permitting program (TEPP) and create Section 5.1.15 of Chapter 1, Article 5 in the Village's Land Development Regulations (LDR).

C. ORDINANCE NO. 2009-13 (FLEX ZONING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, PERTAINING TO ZONING; AMENDING THE LAND DEVELOPMENT REGULATION CODE OF THE VILLAGE OF WELLINGTON BY AMENDING ARTICLE 6, CHAPTER 8, SECTION 6.8.4. "PLANNED INDUSTRIAL PARK DISTRICT" TO READ "FLEXIBLE USE ZONING EMPLOYMENT CENTER" AND ESTABLISHING NEW TEXT FOR 6.8.4 OF CHAPTER 8, ARTICLE 6; BY ELIMINATING ARTICLE 6, CHAPTER 2, SECTION 6.2.12. "LIGHT INDUSTRIAL DISTRICT"; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR APPLICABILITY AND CONFLICTS; PROVIDING FOR DEVELOPMENT STANDARDS; PROVIDING FOR PERMITTED, CONDITIONAL, AND SPECIAL PERMIT USES; PROVIDING FOR MAXIMUM DENSITY AND MINIMUM LOT SIZES; PROVIDING FOR SUPPLEMENTAL DISTRICT REGULATIONS; PROVIDING FOR MINIMUM BUILDING SETBACKS; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE

Staff is requesting that second reading of Ordinance 2009-13, creating the "Flexible Zoning Economic Center Zoning District" (FZEC) be postponed to the August 11, 2009 Village Council Meeting.

8. REGULAR AGENDA

A. RESOLUTIONS ADOPTING PRELIMINARY TRIM RATES FOR THE VILLAGE OF WELLINGTON AND THE ACME IMPROVEMENT DISTRICT AS FOLLOWS:

A. RESOLUTION R2009-56 (ADOPTING THE PRELIMINARY AD VALOREM MILLAGE RATE FOR THE VILLAGE OF WELLINGTON FOR TRIM PURPOSES) (ADOPTING THE PRELIMINARY AD VALOREM MILLAGE RATE FOR THE VILLAGE OF WELLINGTON FOR TRIM PURPOSES)

B. RESOLUTION AC2009-03 (ADOPTING THE PRELIMINARY NON-AD VALOREM ASSESSMENT RATE FOR SURFACE WATER MANAGEMENT (ACME IMPROVEMENT DISTRICT) FOR TRIM PURPOSES) (ADOPTING THE PRELIMINARY NON-AD VALOREM ASSESSMENT RATE FOR SURFACE WATER MANAGEMENT (ACME IMPROVEMENT DISTRICT) FOR TRIM PURPOSES)

C. RESOLUTION R2009-57 (ADOPTING THE PRELIMINARY NON-AD VALOREM ASSESSMENT RATES FOR SOLID WASTE COLLECTION AND RECYCLING SERVICES FOR TRIM PURPOSES)

Staff is seeking Council approval of Resolutions R2009-56, AC2009-03 and R2009-57 for the following three TRIM rates as required by law:

- Ad Valorem Millage (Property Tax Rate) proposed at 2.50 mills
- Non-Ad Valorem Assessment for Drainage (ACME) proposed at \$175.00/unit
- Non-Ad Valorem Assessment for Solid Waste proposed \$165.00/unit for curbside service and \$129/unit for containerized service

B. RESOLUTION R2009-61 (AWARD ACCEPTANCE OF OFFER FROM TEMPLE B'NAI JACOB OF WELLINGTON, FL, INC. FOR RFP #017-09/BMA "SALE OF REAL PROPERTY IN THE ISLES OF WELLINGTON")

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA, DECLARING TRACT R OF PLAT 1 OF THE ISLES OF WELLINGTON TO BE SURPLUS PROPERTY AND AUTHORIZING THE SALE OF TRACT R TO TEMPLE B'NAI JACOB OF WELLINGTON, FL., INC FOR THE AMOUNT OF \$827,500.00 SUBJECT TO A CONTRACT BEING NEGOTIATED AND EXECUTED BY THE VILLAGE MANANGER, IN ACCORDANCE WITH THE TERMS SET FORTH IN THE TEMPLE'S RESPONSE TO RFP# 017-09/BMA, AND PROVIDING THE PROPERTY IS ONLY TO BE USED AS A PLACE OF WORSHIP, AND THAT THE CLOSING TAKE PLACE ON OR BEFORE SEPTEMBER 1, 2009, PROVIDING AN EFFECTIVE DATE.

This item is to recommend a declaration that Tract R of Plat 1 of Isles of Wellington is surplus property and accept the offer from Temple B'nai Jacob of Wellington, FL., Inc. for the "Sale of Real Property in The Isles of Wellington", RFP #017-09/BMA in the amount of \$827,500.00 subject to the Village Manager's and Legal Counsel approval of a contract for sale and purchase with a closing no later than September 1, 2009.

**C. DISCUSSION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON
NOMINATING A COUNCILMEMBER TO THE FLORIDA MUNICIPAL PENSION TRUST
FUND BOARD OF TRUSTEES**

To discuss nominating a Village Councilmember to the Florida Municipal Pension Trust Fund (FMPTF) Board of Trustees.

- 9. ATTORNEY'S REPORT**
- 10. MANAGER'S REPORT & UPDATES**
- 11. COUNCIL REPORTS**
- 12. CLOSING COMMENTS**
- 13. PUBLIC FORUM**
- 14. ADJOURNMENT**

NOTICE

If a person decides to appeal any decision made by the Village Council with respect to any matter considered at this meeting, you will need a record of the proceedings, and you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (The above notice is required by State Law. Anyone desiring a verbatim transcript shall have the responsibility, at his own cost, to arrange for the transcript).

Pursuant to the provision of the Americans With Disabilities Act: any person requiring special accommodations to participate in these meetings, because of a disability or physical impairment, should contact the Village Manager's Office (561) 791-4000 at least five calendar days prior to the Hearing.